

05909 U.S. PTO  
09/09/03

CERTIFICATE OF EXPRESS MAIL	
NUMBER	EL 831849805 US
DATE OF DEPOSIT	SEPTEMBER 9, 2003
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.	
	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: MOBT:217—1  
11899.0217.DVUS02

Prior Application Examiner:  
L. Mayes

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Classification Designation:  
530-370

Prior Group Art Unit: 1653

REQUEST FOR FILING DIVISIONAL APPLICATION  
UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a divisional application under Rule 53(b) (37 C.F.R. § 1.53(b)) of allowed prior application Serial No. 09/755,630 filed January 5, 2001, entitled "PREPARATION OF DEALLERGENIZED PROTEINS AND PERMUTEINS."

REMARKS

- ☒ 1. Enclosed is a copy of the prior application Serial No. 09/755,630 filed January 5, 2001 as originally filed, including specification, sequence listing, abstract, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete

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the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

- (a) ☒ The inventorship is the same as prior Application Serial No. 09/755,630.
- (b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).
- (c) ☒ Priority to U. S. Provisional Application Serial No. 60/174,669, filed January 6, 2000, is claimed under 35 U.S.C. § 119. The certified copy:  
☐ is enclosed.  
☒ has been filed in the prior Application Serial No. 09/755,630.

- ☐ 2. The Assistant Commissioner is requested to grant Applicants a filing date in accordance with Rule 1.53, and supply Applicants with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).
- ☒ 3. Please charge **Deposit Account No. 01-2508/11899.0217.DVUS02** the amount of **\$834.00** to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Part No. 9 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION  
LESS CLAIMS CANCELED BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$750.00
Total Claims	8 - 20 =	0 X	\$18	0.00
Independent Claims	4 - 3 =	1 X	\$84	84.00
Multiple Dependent Claim(s) -----				\$0.00
<b>TOTAL FILING FEES:</b>				<b>\$834.00</b>

- ☐ 4. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☐ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.
- ☒ 5. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to Deposit Account No. 01-2508/11899.0217.DVUS02.
- ☒ 6. Enclosed is a copy of the current Power of Attorney and Associate Power of Attorney in the prior application.

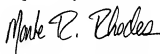
- ☒ 7. Address all future communications to:
- Patricia A. Kammerer  
HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400
- ☒ 8. The prior application is presently assigned to MONSANTO TECHNOLOGY LLC.
- ☒ 9. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at No. 3 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.
- ☒ 10. Cancel in this application claims 1-24 and 26-61 of the prior application before calculating the filing fee. (At least one original independent claim must be retained).
- ☒ 11. Amend the specification by inserting before the first line the sentence: --This application is a divisional of co-pending application Serial No. 09/755,630 filed January 5, 2001, which claims the benefit of U.S. Provisional Application Serial No. 60/174,669 filed on January 6, 2000--.

- ☒ 12. Enclosed are formal drawings, Figs. 1-3 on 12 sheets.
- ☒ 13. An Information Disclosure Statement (IDS) is enclosed.
- ☒ (a) PTO-1449.
- ☐ (b) Copies of IDS citations.
- ☒ 14. Enclosed is a substitute sequence listing and a substitute computer readable copy of the sequence listing, as well as the required Statement under 37 C.F.R. § 1.821(f) and 1.825(b).
- ☐ 15. Other: \_\_\_\_\_.
- ☒ 16. Return Receipt Postcard (should be specifically itemized).

HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

Date: September 9, 2003

Respectfully submitted,



Monte R. Rhodes, Ph.D.  
Reg. No. 54,396  
Agent for Assignee  
MONSANTO TECHNOLOGY LLC